IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(ORIGINAL JURISDICTION)
FRIDAY THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
: PRESENT:
THE HON'BLE **MR.DEVINDER GUPTA** THE CHIEF JUSTICE
CONTEMPT CASE No. 1423 OF 2001

(Contempt Case under Section 10 to 12 of Contempt of Courts Act 1971 to punish the respondents 1 to 4 herein under Sections 10 to 12 of Contempt of Courts Act of 1971 for willfully, wantonly and deliberately violating the interim anticipatory bail orders of learned District and Sessions Judge, Visakhapatnam in Crl. M.P. No. 97 of 2001 (Crime No. 60 of 2001 of Anakapalle Town Police Station) dated: 24-03-2001)

Between:
Potta Samba Kumar, S/o. late Appalanarasimha, Advocate, Anakapalle P.O., Visakhapatnam District.
. Petitioner

AND

1. Sri B.V.S.S. Ramana Murthy, Sub-Inspector of Police, Munagapaka P.O., Visakhapatnam District.
2. Sri R. Kanna Rao, Asst. Sub-Inspector of Police, Anakapalle Town P.O., Visakhapatnam District.
3. Sri P.V.V. Narasimha Rao, Sub-Inspector of Police, Anakapalle Town P.S., Visakhapatnam District.
4. Sri Venkata Rao, Sub-Inspector of Police, Rural P.S., Anakapalle, Visakhapatnam District.

Respondents

The Contempt Case coming on for hearing upon perusing the case and the affidavit filed herein and the order of the High Court dated: 02-11-2001, 25-10-2002, 01-11-2002, 22-11-2002, 29-11-2002, 27-12-2002, 24-01-2003, 18-04-2003 made herein and upon hearing the arguments of Mr. Syed Shareef Ahmed, Advocate for the petitioners and of the G.P. for Home for the respondents;

Whereas the Court observed that the Record will reveal that despite best efforts its has not been possible to serve I.L. Narayana, Deputy Superintendent of Police (Retd.) residing in Flat No. 99, Sashikanth Nagar, Behind Engineering College, Kakinada, East Godavari; earlier efforts were made to serve him through Superintendent of Police and the Registry sent a letter on 01-05-2004 to the Superintendent of Police Kakinada, and another copy of the letter was sent directly to I.L. Narayana, and copy sent through post has been received back undelivered without any clear report as to the cause of non- delivery and also there is no reply from the Superintendent of Police, Kakinada. A copy of letter was given to Government Pleader for favour of information and necessary action. There is no response.

And whereas the Court in these circumstances there is no option to effect service on I.L. Narayana through bailable warrants in summary proceedings, hence directed to Registry to issue bailable warrants and sent to III Additional District Judge at Kakinada, who will ensure that the warrants returnable by 23-07-2004 are executed, without process, and report as to the execution of warrants be sent to this Court.

Therefore you namely;
The Superintendent of Police, Kakinada, East Godavari District

are hereby directed to arrest Mr. I.L. Narayana, Deputy Superintendent of Police (Retd.) residing in Flat No. 99, Sashikanth Nagar, Behind Engineering College, Kakinada, East Godavari; wherever he is found and produce him bodily under safe custody before The III Additional District Judge, Kakinada.

..2…

On production of Mr. I.L. Narayana, The III Additional District Judge at Kakinada, is further directed that if the said Mr. I.L. Narayana, furnishes Bail bonds each in a sum of Rs. 5,000/-(Rupees Five thousand only) with two sureties each in a like sum with an undertaking that he will appear before this Court on 23-07-2004, he may be released on bail subject to the condition that he should attend this Court on 23-07-2004 at 10. 30. a.m and shall continue to attend this Court until otherwise directed..

You are further directed to execute the Warrant without fail and to return the same as early as possible before the said date 23-07-2004 to this Court with a detailed report stating the manner in which it has been executed.

Herein fail not.

JOINT REGISTRAR

To

1. The Superintendent of Police, Kakinada, East Godavari District (BY SPEED POST with a copy of petition and affidavit)
2. The III Additional District Judge, Kakinada, East Godavari District.
3. One spare copy.

Ksv

HIGH COURT

HCJ

DATE: 18-06-2004

NOTE: POST ON 23-07-2004

ORDER

C.C. No. 1423 OF 2001

BAILABLE WARRANT